

for the Western District of Pennsylvania

Frederick Banks,
Plaintiff,
v.
Mark Ky et al.,
Defendants.

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2:13cv00781-NBF-LBL

FILED

MAY 30 2014

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Plaintiff Frederick Banks requests the following relief:

1. Defendants filed a motion to dismiss this case & ordered Plaintiff to respond by 6/10/14. Unfortunately, it has come to Plaintiff's attention that in the last 7 months of his confinement NECC-CCA Youngstown, OH has been purposefully obstructing his incoming and outgoing legal mail. They are delaying the mail through central control and the Unit team because incoming other things actions Plaintiff brought against the prison in Mahoning County. This delay and obstruction has led to numerous cases being dismissed for failure to prosecute. See Banks v. United States Court of Appeals [3rd Circuit] District Court, 1:13-cv-03044 Order of 3/12/14. Plaintiff moves the Court for an order directed to NECC-CCA Warden Michael Pugh, Unit Manager and Central Control, and mailroom supervisor Ms. Skinner directing them to promptly send and deliver all incoming and outgoing mail. Thus far 16 actions have been dismissed of Plaintiff for NECC's actions.
2. Due to the above Plaintiff never received the motion to dismiss filed by Defendants but he did receive Notices warning service that Defendants sent which he forwarded to the Court thus, Defendants have Plaintiff's current address.
3. Plaintiff also gives notice of change of address to; Frederick Banks, 05711068, NECC, 2240 Hubbard Road, Youngstown, OH 44505. As stated the Court should fashion an appropriate order and issue sanctions against NECC so that this conduct does not occur in the future. At a bare minimum the Court should contact the prison. The prison mail log system is defective because many times letters sent/received are not even entered in the log.

Wherefore, the foregoing motion should be granted.

Certificate of Service - I hereby certify that on this 22nd day of May, 2014 I served a true and correct copy of the foregoing by mail delivery upon the following:

Mark N. Hamilton
John M. Grindler [via electronic notification]

[Signature]
Frederick Banks v.

Respectfully submitted

[Signature]
Frederick Banks
05711068
NECC
2240 Hubbard Road
Youngstown, OH 44505
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